

October 31, 2013

Ms. Victoria Hammer, Kentucky ESEA Program Officer
Ms. Karen Daley, Kentucky Race to the Top Program Officer
United States Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202

Dear Ms. Hammer and Ms. Daley:

This letter is to inform you of Kentucky's request to amend its approved Race to the Top plan and ESEA Flexibility request. The required documentation, based on the Race to the Top Grant Amendment Submission Process and ESEA Flexibility Amendment Submission Process for Race to the Top Grantee States approved for ESEA Flexibility is described below.

Required Documentation

1. **Flexibility requested and Race to the Top grant activities impacted by the proposed request.**

ESEA Flexibility: Kentucky is requesting to amend the timeline within its ESEA Flexibility request for when the Professional Growth and Effectiveness System, described in Principles 2 and 3, will be used for personnel decisions. Additionally, we are requesting to amend the timeline for integrating the Professional Growth and Effectiveness System into state accountability, a state-imposed part of Kentucky's model, not a federal requirement. It makes sense to align the timeline for both of these pieces (personnel decisions and state accountability) to occur at the same time in 2015-16 after thorough research and evaluation has occurred. The rigorous research will come from a statewide pilot in all districts for a minimum of 10% of schools in each district in 2013-14 and in 2014-15, full statewide implementation in all schools and districts with ratings of all personnel for data purposes, without consequences for either personnel decisions or state accountability.

Race to the Top: As reflected in Kentucky's amended Race to the Top Phase 3 application (reference the approved amendment letter from U.S. Department of Education dated July 9, 2012), this amendment request will have no effect on Kentucky's approved application. Kentucky's Race to the Top application focuses on the Continuous Instructional Improvement Technology System (CIITS). In particular, as it relates to this request, Kentucky's Race to the Top application is about the Educator Development Suite (EDS) arm of CIITS. EDS is the area of CIITS where data on the Professional Growth and Effectiveness System (PGES) will be collected. The performance measures for our Race to the Top application for sub-criteria (D)(5) are related to data collected in EDS,

not about the PGES system and accountability timelines. Since EDS will still be collecting the ratings on each teacher and principal necessary to address our performance measures for (D)(5) on the timeline established in our approved application, no changes to our application are necessary.

2. **Brief description of timeline and approach as originally approved.**

ESEA Flexibility: In Kentucky's officially approved ESEA Flexibility request, the Professional Growth and Effectiveness System is addressed in both Principles 2 and 3. The first reference to the system appears under Principle 2 on page 35 where a diagram of Kentucky's accountability model is depicted and under the Next-Generation Professionals piece, teacher and principal evaluation is noted as 10% of the weight in the Overall Score. On page 36, the narrative and a chart talk about how the Overall Score is computed using the four strategic priorities of next-generation learners, next-generation professionals, next-generation support systems and next-generation schools/districts.

Specifically, on page 43, discussion of the Next-Generation Professionals part of the accountability model is discussed and on page 44, a diagram depicting the timeline for implementation shows that a statewide pilot will be conducted in 2013-14 and statewide implementation will occur in 2014-15 along with full accountability in the spring of 2015. This is reinforced on page 45 where a timeline shows the Overall Score Phase-In for accountability of the Next-Generation Professionals piece to be 2014-15.

Within Principle 3, the implementation timeline is depicted in a diagram on page 98 where it shows the activities that will occur up through the spring of 2014 in preparation for full implementation in 2014-15. Additionally, the narrative on pages 99-103 deals with the rollout of the system.

The impact on local education agencies of a timeline extension for the Professional Growth and Effectiveness System would be overwhelmingly positive and show that the Kentucky Department of Education has listened to the feedback gathered from teachers and principals during the field test of the system. This feedback has indicated that more time is needed for:

- building capacity locally for implementation of the new system;
- providing principals with enough time to successfully pass proficiency certification;
- offering time for improvement of the student voice element;
- ensuring professional learning support for implementation of the new system;
- strengthening communication and technical assistance efforts;
- ensuring a sensible and successful approach to the sensitive topic of weighting that will include student growth; and
- gathering the necessary data to support and defend an evaluation and support system grounded in the findings from research

Race to the Top: As reflected in Kentucky’s amended Race to the Top Phase 3 application (reference the approved amendment letter from U.S. Department of Education dated July 9, 2012), our timeline for collecting the data through EDS and presenting that data was as follows: “Following the extended field test, a statewide rollout for the system will be implemented during the 2013-14 school year, and full implementation for accountability purposes will occur during the 2014-2015 school year.” Based on this approved amended timeline, our performance measures for (D)(5) in our Race to the Top application now look like this (approved amended numbers in *italics*):

(D)(5) Performance Measures	Actual Data: Baseline (Current school year or most recent)	End of SY 2012-2013	End of SY 2013-2014	End of SY 2014-2015
The percentage of educators in participating LEAs who participated in formal on-line or face to face professional learning experiences on the use of the Continuous Instructional Improvement Technology System (CIITS) to increase their knowledge of how to implement highly effective teaching and learning in the classroom	5%	30%	55%	85%
Percentage of educators in participating LEAs accessing professional learning opportunities through the professional development arm of EDS. As evidenced in the at least annual review of each teacher’s professional growth plan.	5%	25%	50%	75%
Percentage of teachers in participating LEAs who were evaluated as exemplary under the common statewide evaluation system.	N/A	5% (N/A)	10% (5%)	20% (10%)
Percentage of teachers in participating LEAs who were evaluated as accomplished or developing under the common statewide evaluation system.	N/A	75% (N/A)	75% (75%)	70% (75%)
Percentage of teachers in participating LEAs who were evaluated as ineffective under the common statewide evaluation system.	N/A	20% (N/A)	15% (20%)	10% (15%)

Although this amendment request extends the deadline for the PGES system to be used for accountability until the end of the 2015-2016 school year, a PGES rating for all teachers and administrators will still be collected in EDS on the timeline approved in our Race to the Top amended application. Thus, we can still meet the timeline set forth above.

3. Brief description of requested amendment.

ESEA Flexibility: To enable Kentucky to gather feedback from a rigorous research study, the Kentucky Department of Education proposes an extension of the timeline in its waiver for the Professional Growth and Effectiveness System to be able to gather the necessary data to support and defend an evaluation and support system grounded in the findings from research. The proposed extension would roll out as follows:

- 2013-14 – For teachers, a statewide pilot in all districts with a minimum of 10% of the schools within a district participating as well as specific teachers participating (English/language arts, 1-2; math, 1-2; ELL/SWD, 1-2; and non-

assessed, 2-3); for principals, a statewide pilot in all districts with approximately 10% of principals in each district or at least one principal in each district (whichever is greater)

- 2014-15 – For both teachers and principals, full statewide implementation in all districts and schools (without consequences for personnel decisions or state accountability) that will produce data for local district use, gain additional data to ensure the validity and reliability of the state’s model, and meet the data requirements for Race to the Top
- 2015-16 – For both teachers and principals, full statewide implementation in all districts and schools with consequences for personnel decisions and state accountability

4. **Rationale and impact.**

ESEA Flexibility: Kentucky is not in any way pulling back from commitment to the reform strategy of implementing the new Professional Growth and Effectiveness System that carries out the vision described in the ESEA waiver’s Principle 3, but is proceeding with a defensible model given the recent shifts in standards, curriculum, assessment and evaluation systems. States across the county, including Kentucky, are grappling with the local assessment option for teacher evaluations. This dilemma presents an area within the teacher evaluation space that has been criticized publically from various stakeholders. In order to present a valid and reliable system that is fair and defensible, the Kentucky Department of Education intends to use the additional time to ensure that the local assessment data and options are comparable and valid to be used in the Professional Growth and Effectiveness System for high stakes accountability and personnel decisions. The additional flexibility avoids penalizing districts, schools and teachers prematurely and allows the time to gain the necessary validity and reliability of the state’s growth and effectiveness model. It will also assist in preventing Kentucky from having to go back and revise statutory decisions around this critical issue like many other states have ended up doing.

If this request is granted, Kentucky would continue to move ahead with the statewide pilot in 2013-14, provide the data to districts and schools for local use and use the data to refine and adjust the system for validity and reliability purposes. Then, in 2014-15, all teachers and principals in all districts would be expected to implement the system. Again, the data would be provided for local district use and final adjustments to the system to ensure validity and reliability would be made. In 2015-16, a defensible, valid and reliable system would again be implemented with all teachers and principals in all districts but this time the data would be used for both personnel decisions and state accountability.

This approach better aligns Principles 2 and 3 of Kentucky’s ESEA Flexibility request. With the change to the timeline, consequences for both personnel decisions (Principle 3) and state accountability (Principle 2) will now occur at the same time, based on a valid and reliable system grounded in research.

Race to the Top: As stated previously, this request does not affect the language, timelines, or performance measures of our approved Race to the Top Phase 3 application and therefore has no impact on our meeting the goals of our plan.

5. **Consultation.**

ESEA Flexibility: The Kentucky Department of Education is in the process of consulting stakeholders about this amendment request and will forward to the U.S. Department of Education any comments it receives from local school districts or other stakeholders in response to the consultation process. The consultation process will include the following:

- E-mails of the amendment request asking for feedback to all superintendents, principals and teachers
- Posting of the amendment request with a request for feedback on the Kentucky Department of Education's website
- E-mail of the amendment request with a request for feedback to the Title I Committee of Practitioners
- E-mails of the amendment request asking for feedback to members of the commissioner's Parents Advisory Council, State Advisory Panel on Exceptional Children, and Commissioner's Raising Achievement/Closing the Gaps Council
- E-mail of the amendment request asking for feedback to local district English Learner coordinators

Copies of the web posting and copies of e-mails to these groups along with any feedback received are attached to this amendment request.

Race to the Top: Consultation is not a requirement under Race to the Top. However, in the messages and web posting cited above, a statement will be included that the requested amendment does not change the scope of work or performance measures for participating local education agencies (LEAs) in Race to the Top.

6. **Race to the Top budget documentation.** Since this request does not have an impact on Kentucky's Race to the Top application, there is no change to Kentucky's approved Race to the Top budget.
7. **Signature.** Include the signature of the Commissioner/Chief State School Officer and/or Governor or authorized representative.

Terry Holliday
Kentucky Commissioner of Education

Date